

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

vs.

ADAM RAY WATTS (34)

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Case No. 4:07cr42
(Judge Schell)

REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE

Pending before the Court is the request for revocation of Defendant's supervised release. After the District Judge referred the matter to this Court for a report and recommendation, the Court conducted a hearing on May 20, 2014, to determine whether Defendant violated his supervised release.

On December 18, 2007, Defendant was sentenced by the Honorable Richard A. Schell to sixty-five (65) months' incarceration followed by five (5) years of supervised release for the offense of Conspiracy to Possess with Intent to Distribute Heroin. On January 28, 2013, Defendant's supervised release was revoked and he was sentenced to eighteen (18) months' custody followed by an additional thirty-six (36) months of supervised release. On November 8, 2013, Defendant completed his second period of imprisonment and began service of his supervised term.

On April 10, 2014, the U.S. Probation Officer executed a Petition for Warrant for Offender Under Supervision. The petition asserted that Defendant violated various mandatory, standard, and special conditions.

The petition alleges that Defendant committed the following acts: Defendant submitted urine specimens that tested positive for methamphetamine on January 6, 2014, January 15, 2014, January 27, 2014, and March 11, 2014.

Prior to the Government putting on its case, Defendant entered a plea of true to allegations

one and two. Based upon the plea of true, the Government dismissed allegations three and four. The Court recommends that Defendant's supervised release be revoked.

RECOMMENDATION

The Court recommends that the District Judge revoke Defendant's supervised release. Pursuant to the Sentencing Reform Act of 1984, the Court recommends that Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a term of ten (10) months with no supervised release to follow. It is also recommended that Defendant be housed in the Bureau of Prisons, Seagoville Unit.

After the Court announced the recommended sentence, Defendant executed the consent to revocation of supervised release and waiver of right to be present and speak at sentencing. Defendant and the Government also waived their right to file objections.

SIGNED this 22nd day of May, 2014.


AMOS L. MAZZANT
UNITED STATES MAGISTRATE JUDGE